

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

JELANI L. RITTER,)
)
)
Plaintiff,)
)
v.) **1:11CV1069**
)
)
ACN COMMUNICATION)
SERVICES, INC.,)
)
Defendant.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on August 1, 2012, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636.

Therefore, the Court need not make a de novo review, and the Magistrate Judge's Recommendation is hereby adopted.

IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss (Doc. # 7) is **DENIED** without prejudice to resubmission after Plaintiff has filed an Amended Complaint or in connection with a dispositive motion filed after the close of discovery.

This the 31st day of January, 2013

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge